

SENATE NATURAL RESOURCES  
CASE NO. 1  
DATE 1-29-07  
RE SB 324

**Testimony in Support of Senate Bill 324**  
**Before the Senate Natural Resources and Energy Committee**  
**On Behalf of the Clark Fork River Basin Task Force**  
**By Gerald Mueller**  
**January 26, 2007**

Chairman Lind and members of the committee, my name is Gerald Mueller. I live at 440 Evans, Missoula, Montana. I appear before you today on behalf of the Clark Fork River Basin Task Force in support of SB 324.

**Background**

The Task Force was created in 2001 pursuant to 85-2-350 MCA and directed by that statute to prepare a water management for the Clark Fork River Basin that would: **identify options to protect the security of basin water rights, and provide for the orderly development and conservation of water in the future.** In September of 2004, the Task Force provided to the Governor and the legislature the required plan, entitled the *Clark Fork River Basin Watershed Management Plan*. A list of Task Force members is appended to this testimony.

Key findings of the plan were that ground water is increasingly important as a source of water in the basin and that additional research is needed to evaluate the availability of the basin's ground water, its recharge rate, and ground water-surface water relationships. In address these findings, last year the Task Force convened two conferences on the basin's ground water. The first focused on technical issues and the second on policy issues.

**Two Problems**

One of the outcomes of the technical conference was the identification of two problems with the existing methods for recording ground water data and centralizing ground water data so that the public and government officials can access it.

The Ground Water Information Center is maintained by MBMG (Montana Bureau of Mines and Geology) to centralize data on the state's ground water. Currently, within 60 days of drilling a well, the driller must provide a well log report to MBMG on a form developed by the DNRC in consultation with the Board of Water Well Contractors and MBMG. However, the owner of the property on which the well is drilled has the final responsibility to report the location of the well. Property owners sometimes neglect to report the well location or do so incorrectly. Today, well location data reported to MBMG may be in error by hundreds of miles.

Also, state agencies including DEQ and DNRC have different needs for aquifer test data, and they do not now report all such data to MBMG. Thus, aquifer test data are not readily available to the public, planners, engineers, and local government officials to plan and oversee ground water development.

**Bill Remedies**

SB 324 bill remedies these two problems. First it requires well drillers to report well locations using two methods in the well log reports they must already file with MBMG. This provide a good cross reference. The details of acceptable methods and the form of the report will be addressed in the same manner of the requirements of existing well log reports. DNRC will specify in rules the acceptable location reporting methods on forms developed in consultation

with the Board of Water Well Contractors and MBMG. Requiring two methods for locating the well will not impose a significant additional cost on well drillers, but will provide MBMG an important cross check on the location data. This additional requirement will provide a significant improvement in the well location data publicly available from the Ground Water Information Center.

Second, this bill requires that state agencies to start providing to MBMG data they require on aquifer pump tests. Again, the form in which this data will be reported will be specified in rules developed by DNRC in consultation with DEQ and MBMG. Because this data generally comes to the agencies electronically, it should be easy to send it to MBMG without imposing significant costs on the agencies.

In closing, the Task Force respectfully asks this committee to approve SB 324.

Thank you.

## Clark Fork River Basin Task Force Membership

<b>Name</b>	<b>Organization</b>	<b>Area/Interest Represented</b>
Marc Spratt	RLK Hydro	Flathead Basin above Flathead Lake
Nate Hall	Avista	Hydropower Utilities
Holly Franz	PPL Montana	Hydropower Utilities
Matt Clifford	Clark Fork Pend Oreille Coalition	Conservation/Environment
James Steele	Confederated Salish and Kootenai Tribes	Indian Tribes
Gail Patton	Sanders County Commissioner	Basin Local Governments
Vacant		Clark Fork River Watershed below Flathead River confluence
Arvid Hiller	Mountain Water Company	Municipal water companies and the Clark Fork River Watershed between the confluence of the Blackfoot River and the Clark Fork River and the confluence of the Clark Fork River and the Flathead River
Elna Darrow	Flathead Basin Commission	Flathead Lake
Steve Hughes	Joint Board of Control	Flathead River watershed below Flathead Lake to the confluence with the Clark Fork River
Harvey Hackett	Bitter Root Water Forum	Bitterroot River watershed
Fred Lurie	Blackfoot Challenge	Blackfoot River watershed
Jim Dinsmore	Granite Conservation District & Upper Clark Fork River Basin Steering Committee	upper Clark Fork River watershed
Verdell Jackson, <i>Ex Officio</i>	State Representative	House District 6
Joey Jayne <i>Ex Officio</i>	State Representative	House District 15
Jim Shockley <i>Ex Officio</i>	State Senator	Senate District 45